S.B. Criminal Misc. Bail Application No.3945/3006

Date : 12.09.2006

HON'BLE MR.SATYA PRAKASH PATHAK, J.

Mr. V.K. Bhadu for the applicant.

Mr. V.R. Mehta, Public Prosecutor.

Mr. Manish Dadich for complainant.

I have heard learned counsel for the applicant as well as learned Public Prosecutor for the State assisted by learned counsel for the complainant and carefully gone through the impugned order.

The contention of learned counsel for the applicant is that the injuries on vital part of injured have been attributed to Karnail Singh. He submits that present applicant is a lady agains whom it is alleged that she also participated in the incident but in view of the provisions contained in the Code of Criminal Procedure, she may be enlarged on bail.

On the other hand, learned Public Prosecutor and learned counsel for the complainant have opposed the bail application and submitted that it is a case where the accused applicant with common intention committed

offence, therefore, she should not be enlarged on bail.

I have considered the submissions made before me and carefully gone through the material available on record.

Taking into consideration the provisions contained in the Code of Criminal Procedure and on perusal of case diary, since charge sheet has been filed in the matter, I think it just and proper to enlarge the accused applicant on bail.

Accordingly, the bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that the applicant Preeto Bai wife of Karnail Singh shall be released on bail in FIR No.524/2004 P.S. Sangaria, District Hanumangarh, provided she executes a personal bond in the sum of Rs.30,000/- with two sound and solvent sureties in the sum of Rs.15,000/- each to the satisfaction of learned trial court for her appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

vij **(SATYA PRAKASH PATHAK), J.**